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ATTORNEY DOCKET NO. ADV08 795

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of Tryggvi Emilsson

Serial No.: 10/702,558

Art Unit: 2879

Filed: November 7, 2003

Examiner: Karabi Guharay

Title: OXIDATION RESISTANT MOLYBDENUM FOIL AND LAMPS MADE
WITH SAME

TRANSMITTAL

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Transmitted herewith is an Election for the above-identified Application.

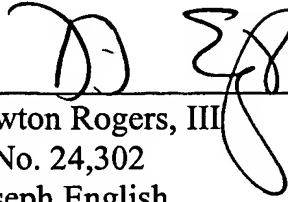
If a Petition for an Extension of Time is necessary for the paper transmitted
herewith to be timely filed, this transmittal is to be considered as a petition to extend the
response period by the amount of time needed for the paper to be timely filed.

The Commissioner is hereby authorized to charge payment of any additional fees
associated with this communication or credit any overpayment to Deposit Account No.

04-1679.

A duplicate of this sheet is enclosed.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'L. Lawton Rogers, III', written over a horizontal line.

L. Lawton Rogers, III

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Dated: June 18, 2004



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In re the Patent Application of Tryggvi Emilsson

Serial No.: 10/702,558

Art Unit: 2879

Filed: November 7, 2003

Examiner: Karabi Guharay

Title: OXIDATION-PROTECTED METALLIC FOIL AND METHODS

ELECTION

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Responsive to the Office Action dated May 18, 2004, Applicant provisionally elects to prosecute the claims in Group II with traverse.

Applicant respectfully requests reconsideration of the restriction of the claims, and examination of all claims in this application.

The examiner has restricted the claims to the following groups:

- I. Claims 1-12, and 42-47 directed to lamps; and
- II. Claims 13-41 and 48-51 directed to methods.

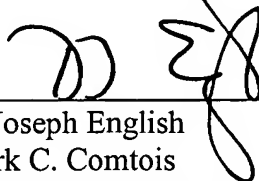
The examiner asserts that the inventions of Group I and Group II are related as product and the process of making it, and restricts the claims on the premise that the claimed product could be made by another and materially different process, e.g., by coating the metallic foil by spraying or vapor deposition.

Applicant does not understand the examiner's assertion. With respect to the claims in Group 1, Claims 1-5 and 7-12 are directed to methods and are properly grouped in Group II and are properly examined with the claims in Group II if the restriction is maintained. With respect to Claims 6, and 42-47, the asserted basis for restricting these claims is obviated because the methods

of Claims 1-5, and 7-12 are generic to methods of coating a metallic foil or strip by spraying or vapor deposition, and thus the examiner's assertion that the products claimed cannot be made by another and materially different process is in error. Reconsideration and withdrawal of the restriction and examination of Claims 1-51 is solicited.

A further and favorable action and allowance of all claims is solicited.

Respectfully submitted,



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